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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/764,621
	Filing Date	January 26, 2004
	First Named Inventor	Rolando M. Puno et al.
	Art Unit	3733
	Examiner Name	David C. Comstock
Total Number of Pages in This Submission	Attorney Docket Number	MSDI-292/PC1008.00

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard; Substitute Claims and Remarks for Previously Submitted Response to Non-final Office Action; Copy of Response to Office Action of 1/31/2008
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Krieg DeVault LLP		
Signature	<i>Douglas A. Collier</i>		
Printed name	Douglas A. Collier		
Date	June 17, 2008	Reg. No.	43,556

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Typed or printed name	Douglas A. Collier	Date	June 17, 2008

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re                      )  
application of: ) Before the Examiner:  
Rolando M. Puno et al. ) David C. Comstock  
Serial No. 10/764,621 ) Group Art Unit:  
Filed: January 26, 2004 ) 3733  
METHODS AND INSTRUMENTS FOR ) June 17, 2008  
INSERTING INTERVERTEBRAL GRAFTS ) Attorney Docket Ref.:  
AND DEVICES ) MSDI-292/PC1008.00

**SUBSTITUTE CLAIMS AND REMARKS FOR PREVIOUSLY SUBMITTED  
RESPONSE TO NON-FINAL OFFICE ACTION**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

In response to the Notice of June 11, 2008, please find enclosed a copy of the January 31, 2008, response to the non-Final Office Action dated November 27, 2007. Also enclosed is a copy of the Supplemental IDS filed with the response. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time which may be necessary, and charge any fees which may be due, or credit any overpayments, to Deposit Account No. 12-2424, but not including issue fees.

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June 17, 2008  
Date of Transmission

Douglas A. Collier  
Name of Registered Representative

*Douglas A. Collier*  
Signature

June 17, 2008  
Date of Signature

Respectfully submitted:

By:

*Douglas A. Collier*

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